Case Docket No. 8375D

Box Non Fee Amendment ASSISTANT COMMISSIONER FOR PATENTS Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s): DEGENHARDT et al.

Confirmation No. 6277

Serial No.: 09/996,657

Group Art Unit: 1625

Date Filed: November 29, 2001

Examiner: R. Desai

Title: SUBSTITUTED HETEROCYCLIC COMPOUNDS FOR TREATING MULTIDRUG RESISTANCE

- 1. [x] No additional fee is known to be required.
- 2. [] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)		THAN A ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 16	MINUS	** 20	= 0	x \$18 =	\$0
INDEP.	* 1	MINUS	*** 3	= 0	x \$80 =	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$270 =	\$0	
				,	TOTAL	\$0

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- If the highest number of total claims previously paid for is less than 20, write "20" in this space.
- \*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.
- The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated November 6, 2001 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: for a month extension of time.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this 4. communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a. [x] Any patent application processing fees under 37 CFR §1.16.
  - [x] Any patent application processing fees under 37 CFR §1.17.

The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Kelly L. McDow-Dunham

Attorney or Agent for Applicant(s)

Registration No. 43,787 Tel. No. (513) 622-0159

Date: April 7, 2002

Customer No. 27752

(last revised 12/7/01)



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## Procter & Gamble - I.P. Division

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1) Non Fee Amendment Transmittal - 1 pg.

2) Response to Restriction Requirement - 3 pgs.

3) 4)

5)

Inventor(s): Charles R. Degenhardt et al. S.N.: 09/996,657

Filed: 11/29/01

1774

Case: 8375D

Comments:

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Charles R. Degenhardt et al.

S.N.:

09/996.657 11/29/01

Filed: Case:

8375D

4) Response to Restriction Requirement - 3 pages

Comments:

Refaxing the Response to the Office Action dated 3/11/02

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Serial No.: 09/5,657 Customer No. 27/52

or, in the alternative, redesign the restriction requirement such that the Applicants can more fairly pursue their invention.

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Notwithstanding the foregoing, in compliance with MPEP 818.03(b), Applicants provisionally elect Group III for examination.

Respectfully submitted,

Kelly L. McDow-Dunham Attorney for Applicants Registration No. 43,787

Telephone: 513-622-0159

April 7, 2002 Customer No. 27752